

AMENDED IN SENATE APRIL 14, 2010

AMENDED IN SENATE MARCH 23, 2010

**SENATE BILL**

**No. 1469**

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**Introduced by Senator Simitian**

February 19, 2010

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An act to add Sections ~~139 189~~ and 10014 to the Water Code, relating to water quality.

LEGISLATIVE COUNSEL'S DIGEST

SB 1469, as amended, Simitian. Sacramento-San Joaquin Delta: ~~State Water Resources Development System: California Water Plan:~~ water quality.

*Existing law establishes the State Water Resources Control Board as a state agency with authority to administer the water resources of the state. Existing law authorizes the board to investigate all streams, stream systems, lakes, or other bodies of water, take testimony relating to the rights to water or the use of water, and ascertain whether water filed upon or attempted to be appropriated is appropriated under the laws of the state. Existing law requires the board to take appropriate actions to prevent waste or the unreasonable use of water.*

~~Under existing law, the Department of Water Resources has various responsibilities with regard to the Sacramento-San Joaquin Delta, including a requirement to evaluate the potential impacts on water supplies derived from the Sacramento-San Joaquin Delta based on 50-, 100-, and 200-year projections for possible impacts on the Delta from specified events, and to determine, with the Department of Fish and Game, the principal options for the Delta.~~

This bill would require the ~~department~~ *board*, by January 1, 2012, to identify all parties, including public and private parties, that benefit

from waters originating in the Sacramento-San Joaquin Delta watershed and whose activities impact the Delta watershed. The bill would also require the ~~department~~ *board*, by that date, to develop a process for determining the degree of responsibility attributable to each of the identified parties for physical and environmental impacts on the Delta.

Under existing law, the ~~department operates the State Water Resources Development System, which includes dams, reservoirs, and other infrastructure for the storage and delivery of state water resources. The department~~ *Department of Water Resources* is required to update a coordinated plan for the conservation, development, and utilization of state water resources known as the California Water Plan, *on or before December 31, 2003, and every 5 years thereafter*, and to include in the plan update a discussion of various strategies, including, but not limited to, those relating to the development of new water storage facilities, water conservation, water recycling, desalination, conjunctive use, and water transfers that may be pursued in order to meet the future water needs of the state.

This bill would require the department, ~~by January 1, 2012 as a part of its update of the California Water Plan, commencing with the update that is due on or before December 31, 2013, and every 5 years thereafter, to estimate~~ *identify* the infrastructure needs for the ~~State Water Resources Development System state, by hydrologic region,~~ over the next 30 years ~~and, estimate the expected costs of associated environmental mitigation and restoration projects over the next 30 years, propose a policy for assigning funding responsibilities to beneficiaries of water resources investments and a financing strategy for funding responsibilities proposed to be assigned to the state, and identify certain related information.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section ~~139~~189 is added to the Water Code, to
- 2 read:
- 3 ~~139.~~
- 4 *189. The department board*, by January 1, 2012, shall do both
- 5 of the following:

(a) Identify all parties, including public and private parties, that benefit from waters originating in the Sacramento-San Joaquin Delta watershed, and whose activities impact the Delta watershed.

(b) Develop a process for determining the degree of responsibility attributable to each of the parties identified in subdivision (a) for physical and environmental impacts on the Delta.

SEC. 2. Section 10014 is added to the Water Code, to read:

~~10014. The department, by January 1, 2012, shall estimate both of the following: As a part of the requirement of the department to update the California Water Plan pursuant to subdivision (b) of Section 10004, commencing with the update due on or before December 31, 2013, and every five years thereafter, the department shall do all of the following:~~

~~(a) The~~ Identify the infrastructure needs for the ~~State Water Resources Development System~~ state, by hydrologic region, over the next 30 years, including new facilities and expected repairs and upgrades to existing facilities.

~~(b) The~~ Estimate the expected costs, over the next 30 years, of environmental mitigation and restoration projects associated with the infrastructure needs identified in subdivision (a).

~~(c) Propose a policy for assigning funding responsibilities to beneficiaries of water resources investments and a financing strategy for funding responsibilities proposed to be assigned to the state.~~

~~(d) Identify all relevant assumptions associated with the infrastructure needs identified pursuant to subdivision (a) and the costs estimated pursuant to subdivision (b). These assumptions shall include all of the following:~~

~~(1) The retail price of water by type of use.~~

~~(2) Water conservation and other water use efficiency programs assumed to be in place.~~

~~(3) Other relevant assumptions.~~